

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-35038-2016 (O&M)

Date of decision : 19.12.2016

Gurnam Singh @ Billa

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pankaj Bali, Advocate,
for Mr. J.S. Khattar, Advocate,
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in DDR No.14 dated 14.02.2015, under Sections 307, 336, 506 and 148 read with Section 149 of the Indian Penal Code (for short, 'the IPC') and Sections 25 & 27 of the Arms Act, in FIR No.33 dated 11.02.2015, registered under Sections 307, 382, 379, 344 and 148 read with Section 149 IPC and Sections 25 & 27 of the Arms Act, at Police Station Kamboh, Distt. Amritsar.

Vide order dated 30.09.2016, inadvertently, Daljit Singh son of Balkar Singh, who is co-accused in the instant DDR, was impleaded in the present case. His name is ordered to be deleted from the array of parties and in his place, complainant in the DDR, namely, Roshan Singh s/o Balbir Singh, resident of Village Mahenian Kuhara, Tehsil and District Amritsar, is impleaded as respondent No.2. The Registry is directed to amend the memo of parties accordingly.

Notice of motion to respondent No.2.

At this stage, Ms. Manjeet Kaur, Advocate, who is present in the Court, accepts notice on behalf of newly added respondent No.2.

Heard.

Learned counsel for the petitioner contends that in pursuance of order dated 30.09.2016, the petitioner has joined the investigation. Further states that a compromise has been reached between the parties.

Learned counsel for respondent No.2, admits the factum of compromise.

On 30.09.2016, the following order was passed:-

“On oral request made by learned counsel for the petitioner, complainant-Daljit Singh son of Balkar Singh, resident of Village Mahenian Kuhara, Police Station Kamboh, District Amritsar is ordered to be impleaded as respondent No.2 at this stage.

Registry is directed to amend the memo of parties accordingly.

Learned counsel contends that injury attributed to the petitioner though on vital part has been declared simple. The compromise has been reached between the parties.

Notice of motion for 16.11.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*

3. That he shall not leave India without prior permission of the Court.

To be heard along with CRM-M-34583-2016”

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 30.09.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

19.12.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No